

**IN THE  
UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

**No. 15-1713**

**WILLIAM SMITH,**

**Appellant,**

**v.**

**DEPARTMENT OF LABOR, *et al.*,**

**Appellees.**

**JOINT MOTION TO FILE DEFERRED JOINT APPENDIX**

Pursuant to Federal Rule of Appellate Procedure 30(c) Appellant William Smith, jointly with the Appellees, Department of Labor, Duke Energy Carolinas, LLC, and Atlantic Group, Inc. (d/b/a DZ Atlantic)

(collectively the “Parties”) respectfully move to file a deferred Joint Appendix. In support of this Motion, the Parties state:

1. On September 4, 2015, the Department of Labor, pursuant to Federal Rule of Appellate Procedure 17(b)(1)(B) filed the Certified List of the Record.
2. On September 17, 2015, pursuant to Federal Rule of Appellate Procedure 30(b)(1), William Smith identified to all parties the sections of the record he intended to include in the Joint Appendix.
3. On September 23, 2015, the Parties agreed that it would be beneficial to finalize the Parties’ briefs prior to creating the Joint Appendix

in order to include in the Joint Appendix only the documents which are necessary, and not to omit any important documents accidentally.

WHEREFORE, the Parties respectfully request to file a deferred Joint Appendix, 21 days after the Appellees briefs are due, pursuant to Federal Rule of Appellate Procedure 30(c).

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Dated: October 1, 2015

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served this 1st day of October, 2015, via the Court's electronic filing system and via first class mail upon:

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